

Message Text

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ORIGIN NEA-10

INFO OCT-01 ISO-00 L-03 JUSE-00 EB-07 TRSE-00 SP-02
SS-15 CIAE-00 INR-07 NSAE-00 COME-00 DODE-00 PM-04
(ISO) R

DRAFTED BY NEA/INS:JRGRAHAME:JES
APPROVED BY NEA/INS:DKUX
L/NEA:WRHODES
JUSTICE/FOREIGN LITIGATION:BRISTA
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P 222204Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY NEW DELHI PRIORITY

C O N F I D E N T I A L STATE 145281

FOR SCHNEIDER FROM KUX, NEA/INS

E.O. 11652: GDS

TAGS: EAIR, ETRD, US, IN

SUBJECT: GOI INTEREST IN OBTAINING INFORMATION RELEVANT TO
BOEING INVESTIGATION

REF: NEW DELHI 8742

1. JUSTICE DEPARTMENT IS PREPARED TO CONCLUDE JUDICIAL INFORMATION EXCHANGE AGREEMENT WITH THE GOI LAW ENFORCEMENT AGENCY RESPONSIBLE FOR INVESTIGATION AND PROSECUTION OF CASES WHICH MIGHT ARISE FROM EXCHANGES OF INFORMATION REGARDING BOEING. IF HOME AFFAIRS MINISTRY MEETS THAT DESCRIPTION, AGREEMENT COULD BE CONCLUDED WITH THAT MINISTRY.

2. JUSTICE DEPARTMENT, AS USG AGENCY RESPONSIBLE FOR LAW ENFORCEMENT, MAY AGREE TO PROVIDE ASSISTANCE AND INFORMATION-
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TION ONLY TO FOREIGN COUNTERPART AGENCIES. IT IS NOT AUTHORIZED TO CONCLUDE BROADER AGREEMENT WHICH WOULD PROVIDE FOR DISSEMINATION OF INFORMATION TO FOREIGN GOVERNMENT ORGANS WHICH ARE NOT LAW ENFORCEMENT AGENCIES. IF COMMISSIONS OF INQUIRY REFERRED TO IN REFTTEL ARE PURELY INFORMATION-GATHERING BODIES WITH NO PROSECUTORIAL POWERS, JUSTICE DEPARTMENT LACKS AUTHORITY TO AGREE TO PROVIDE IN-

FORMATION TO THEM. THEREFORE, NO ASSURANCE CAN BE GIVEN TO MEHTA WITH RESPECT TO THE CHANGE PROPOSED PARA 4 REFTTEL.

3. FYI - YOU MAY WISH TO INFORM MEHTA THAT EACH OF THE 15 BILATERAL AGREEMENTS OF THIS NATURE WHICH JUSTICE HAS EXECUTED WITH FOREIGN LAW ENFORCEMENT AGENCIES TO DATE IS LIMITED IN THIS FASHION. WHILE PROBLEM OF DISSEMINATION TO NON-LAW ENFORCEMENT AGENCIES HAS ARISEN BEFORE, SUCH DISSEMINATION HAS NEVER BEEN ALLOWED UNDER TERMS THESE AGENCY TO AGENCY AGREEMENTS.

4. IF GOI DECIDES TO PROPOSE AGREEMENT, JUSTICE WILL URGE DELHI TO SEND SENIOR OFFICIAL OF GOI LAW ENFORCEMENT AGENCY TO WASHINGTON TO NEGOTIATE AND CONCLUDE AGREEMENT. PAST EXPERIENCE WITH THESE AGREEMENTS HAS PROVEN THIS TO BE ONLY EFFICIENT PROCEDURE. END FYI. CHRISTOPHER

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Message Attributes

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Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 22-Jun-1977 12:00:00 am
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Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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